

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

F I L E D
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

1 IN THE MATTER OF :

4 JUANJOSE MARTINEZ-MADERA, A 14-647-093)

5 (Petitioner, Plaintiff) (In Pro Se))

7 Vs.)

9 MICHAEL CHERTOFF, Secretary of the Department of)

0 Homeland Security; MICHAEL B. MUKASEY, Attorney)

1 General; JULIE L. MYERS, Assistant Secretary, United States)

2 Board of Immigration and Customs Enforcement (BICE); ROBIN)

3 BAKER, Director, San Diego ICE-Field Office District Director;)

4 ROBERT G. RILLAMAS, Assistant ICE-Field Office Director-)

5 El Centro; JOEL MATA, Supervisor of Detention and)

6 Deportation Officers-El Centro Processing Center,)

7 Defendants - Respondents)

8)

0 **STATEMENT OF FACTS AND MEMORANDUM OF POINTS IN SUPPORT OF
1 PETITIONER'S MOTION FOR CLASS CERTIFICATION**

3 I, Petitioner, JuanJose Martinez-Madera, humbly requests and moves this Court for an **order for certification**
4 in his Habeas Corpus Petition **Case No. 07CV2237 JLS (WMc)** filed in this Honorable Court on November 26,
5 2007 for the following reasons:

- 6 1. My habeas action was prepared exactly for this purpose. With an eye towards seeking for the court
7 to declare it and certify it as a class-action lawsuit for the reason that
- 8 2. There are many other detainees in exactly this same predicament as instant petitioner, needing
9 also, exactly this same form of relief (some detainees from my dorm listed below). Common
0 denominators for most of these detainees are poverty and being illiterate to the point that they can't
1 even express themselves, speaking nor writing.
- 2 3. Too many of us have been detained for years already in what amounts to indefinite ICE and DHS
3 detentions which we believe to be illegal, immoral, unjustified and inappropriate because we are
4 Legal Permanent Residents and because we are not terrorists!
- 5 4. The United States Congress gave the government (BICE, DHS) a reasonable period of time
6 (considered around 6 months) to look at detainees' cases and try to deport them. If they are not
7 deported within that time frame they are supposed to be set free to properly & legally defend

1 themselves by being able to use resources out there that are unavailable here in detainment for
 2 many reasons a) some financial in nature b) others dealing with the nature of these detainment
 3 facilities like security and safety c) still others dealing with the lack of proper medical care in
 4 these facilities and the status of our health which in some cases, situations, conditions and
 5 circumstances amounts to a death sentence, and d) still too many other reasons to address here.

6 All of us Immigration detainees that have been here for years already, need the help from the Federal Courts
 7 to break the government's stranglehold of us in their stubbornness and in their refusal to set us free meanwhile
 8 that our cases get resolved. Somebody has to stop their abusive behavior doing this to Legal Permanent Residents
 9 that no matter what they have done, they have already satisfied their debts to society, owing no more time to no
 0 one anymore, otherwise they would have been given more time in the courts.

1 For reasons stated above and other ones not stated here for lack of . . . petitioner respectfully and humbly
 2 requests and moves this Court for present Motion and Request for Class-Action Certification of his Habeas
 3 Corpus Petition Case No. 07CV2237 JLS (WMc) filed in this Honorable Court on November 26, 2007 to be
 4 granted.
 5

6 Thank you for any help provided.

7 Dated this: January 14, 2008

8 Sincerely and Respectfully Submitted,

0 A 14-647-093 (In Pro Se)

1 JuanJose Martinez-Madera



2 Petitioner's Signature

4 Other Detainee's Names	A #'s	Detained by ICE in Immigration custody continuously since:
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5 (Lead Petitioner)

6 1) JuanJose Martinez-Madera	14-647-093	September 22, 2005	going on 3 years
7 2) Gurdev Singh	42-967-796	October 24, 2006	going on 2 years
8 3) Juan Ramirez Mata	34-486-731	August 17, 2005	going on 3 years
9 4) Hector Ramirez	043-733-743	March 20, 2007	going on 1 year
0 5) Alejandro Barajas	75-506-112	August 21, 2006	going on 2 years
1 6) Valdez J. C.	17-989-923	February 21, 2005	almost 3 years

1	7)	Chiu Hung Wong	35-341-477	May 17, 2007	going on 1 year
2	8)	Daniel Carrera-Virula	90-499-576	June 09, 2004	going on 4 years
3	9)	Antonio F. Silveyra-Garcia	18-499-789	May 11, 2007	going on 1 year
4	10)	Joel Diaz Roldan	19-079-462	October 24, 2006	going on 2 years
5	11)	Antonio Damas Vizcarra	41-693-249	February 06, 2006	almost 2 years
6	12)	Gustavo Lemus Galvan	37-542-695	July 09, 2004	going on 4 years
7	13)	Javier Velazquez Vazquez	92-112-890	February ? 2005	almost 3 years
8	14)	Hernan I. Delgado	78-461-226	February 06, 2003	almost 5 years
9	15)	Francisco Santana Quintero	39-717-782	around June 2006	going on 2 years

Thank You!.